

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 20-282(3) (PJS/ECW)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER OF DETENTION

LEROY LEMONTE PERRY WILLIAMS,

Defendant.

This matter came before the Court on December 13, 2022, for a bond revocation and detention hearing. The Defendant Leroy Lemonte Perry Williams appeared in custody and was represented by his appointed counsel, Matthew J. Mankey. The United States was represented by Assistant United States Attorney Chelsea A. Walcker. U.S. Probation Officer Corey Grandner appeared on behalf of the United States Probation and Pretrial Office (USPO).

Prior to the hearing, the USPO presented a final violation report recommending that Mr. Williams' bond be revoked and that he be ordered detained. At the hearing, Mr. Williams did not contest probable cause and admitted to violating the terms of his pretrial release, though he sought to explain his violations. The United States made an oral motion to detain Mr. Williams in light of his termination from Minnesota Adult and Teen Challenge, absconding from supervision on September 1, 2021, and remaining a fugitive for more than a year.

After consideration of the entire record before the Court, including the USPO bond report and final violation report, the arrest warrant, and arguments by counsel,

and considering the detention factors set forth in 18 U.S.C. § 3142(g), the Court finds that no condition or combination of conditions of release will reasonably assure the appearance of the defendant as required, and orders that the defendant be detained pending trial. Accordingly, the Court grants the United States' motion for detention.

FINDINGS OF FACT

1. On January 25, 2021, Mr. Williams was convicted of conspiracy to commit arson, in violation of 18 U.S.C. § 371. (Doc. No. 68.)

2. On May 6, 2021, Mr. Williams was ordered released from custody on conditions, including reporting to the U.S. Probation and Pretrial Services Office and participating in long-term programming at Minnesota Adult and Teen Challenge. (Doc. No. 113.)

3. On September 3, 2021, a bench warrant was issued for Mr. Williams based on his pretrial violations and absconding from supervision. (Doc. No. 166.)

4. On July 19, 2021, Mr. Williams was arrested in Gary, Indiana, and was taken into custody. Mr. Williams was subsequently transferred to the custody of the U.S. Marshal Service for transport to the District of Minnesota for sentencing in the above-referenced proceeding.

5. The USPO recommends that Mr. Williams be detained pending sentencing based on his danger to the community and his risk of nonappearance.

6. The United States moved for Mr. Williams' detention based on his risk of non-appearance and danger to the community.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the Court makes the following conclusions of law:

1. The Court concludes that based on the USPO bond report and final violation report, the arguments of counsel, Mr. Williams' non-compliance with the terms of his release, the entire record before the Court, and the standards for detention set forth in 18 U.S.C. § 3142(g), no condition or combination of conditions will reasonably assure Mr. Williams' appearance as required for future proceedings. *See United States v. Sazenski*, 806 F.2d 846, 848 (8th Cir. 1986) (recognizing that either danger to the community or risk of flight is sufficient to authorize detention).

For the foregoing reasons, **IT IS HEREBY ORDERED** that:

1. The motion of the United States for detention is **GRANTED**;
2. The defendant is committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. The defendant shall be afforded reasonable opportunity to consult privately with counsel; and
4. Upon Order of the Court or request by the United States Attorney, the person in charge of the corrections facility in which the defendant is confined shall

deliver the defendant to the United States Marshal for the purpose of appearance in connection with further court proceedings.

Dated: December 13, 2022

s/ David T. Schultz

THE HONORABLE DAVID T. SCHULTZ
UNITED STATES MAGISTRATE JUDGE